| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/592,321 | 06/13/2000 | Brandon William Porter | TM00-003.US | 7391 |

| 58563          7590          04/20/2006 | EXAMINER |
|---|---|
| HARRITY SNYDER, L.L.P.<br>11350 RANDOM HILLS ROAD<br>SUITE 600<br>FAIRFAX, VA 22030 | BOUTAH, ALINA A |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2143 | |

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on <u>26 January 2006</u> .

2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) <u>1-4,6-19 and 21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-4,6-19 and 21</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>1/26/06</u> .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

### *Response to Amendment*

This action is in response to Applicant's amendment received December 2, 2005. Claims

1-4, 6-19 and 21 are pending in the present application.

### *Continued Examination Under 37 CFR 1.114*

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on February 6, 2006 has been entered.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-4, 6-19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

USPN 6,600,736 issued to Ball et al. (hereinafter Ball) in view of USPN 6,778,653 issued to

Kallas et al. (hereinafter Kallas).

(Amended) Regarding claim 1, Ball teaches a method of preserving state for applications over a telephone interface using a voice application computer, the method comprising:

identifying a user profile over the telephone interface using the voice application computer and telephone identifying information (abstract; col. 1, lines 15-53; figure 1; col. 4, lines 5-9);

identifying state information associated with the user profile, the state information comprising of a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, the state information associated with the user profile (abstract; col. 4, line 65 to col. 5, line 29; col. 9, line 33-col. 10, line 15); and

automatically and selectively providing, by the voice application computer, a subset of the plurality of cookies to an application based on the stored policies (abstract; col. 4, line 65 to col. 5, line 29; col. 9, line 33-col. 10, line 15).

However, Ball does not explicitly teach storing policies to control accessing of the plurality of cookies and storing of new cookies; and storing a new cookie with the plurality of cookies on the policies.

Kallas teaches a policy for storing cookies managed by a server (col. 4, lines 52-60; figures 4-6; col. 9, lines 25-58). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a policy for storing cookies in order to control access to the cookies, thus providing security in the network system.

Regarding claim 2, Ball teaches the method of claim 1, wherein the policies are dependent on at least one of needs of voice, application computer, first decisions made by at least

one operator of the voice application computer, or second decisions made by users of the voice application computer (abstract; col. 3, line 58 to col. 4, line 61).

Regarding claim 3, Ball teaches the method of claim 1, wherein the application has a corresponding uniform resource indicator (URI) and wherein the subset of the plurality of cookies is selected according to applicability of each cookie in the plurality of cookies to the URI (abstract; col. 9, line 33-col. 10, line 15).

Regarding claim 4, although Ball does not explicitly teach the method of claim 3, wherein the applicability of a cookie for inclusion in the subset is determined according to IETF RFC 2109, it is well known in the art that cookies in general are utilized based on IETF RFC 2109 (see RFC 2109).

(Amended) Regarding claim 6, Ball teaches the method of claim 1, wherein the new cookie received from the application as part of a hypertext transfer protocol (HTTP) request for a uniform resource indicator (URI) (col. 9, line 33-col. 10, line 15).

(Amended) Regarding claim 7, although Ball does not explicitly teach the method of claim 1, wherein at least some of the policies are based on IETF RFC 2109, it is well known in the art that cookies in general are utilized based on IETF RFC 2109 (see RFC 2109).

(Amended) Regarding claim 8, Ball teaches the method of claim 1, wherein the storing a

new cookie occurs responsive to verification of the new cookie by the voice application

computer based on the policies (col. 9, line 33-col. 10, line 15).

Regarding claim 9, Ball teaches the method of claim 1, further comprising verifying a

password for the user profile received over the telephone interface prior identifying the state

information associated with the user profile (col. 4, line 65 to col. 5, line 47).

(Amended) Regarding claim 10, Ball teaches the method of claim 1, wherein the

identifying comprises creating a user profile on the first computer. Bennett teaches creating a

user profile on the voice application computer (col. 9, line 33-col. 10, line 15).

(Amended) Regarding claim 11, this is similar to claim 1, therefore is rejected under the

same rationale.

Regarding claim 12, Ball teaches the apparatus of claim 11, wherein the apparatus

supports a second application, the application provided by a first legal entity and the second

application provided by a second legal entity (abstract; figure 1).

Regarding claim 13, the IETF fails to teach the apparatus of claim 12, wherein the

plurality of cookies includes at least a first cookie set by the second application, and wherein the

subset of the plurality of cookies does not include at least a first cookie (col. 9, line 33-col. 10, line 15).

(Amended) Regarding claim 14, Ball teaches a computer system to preserve state information for applications over a telephone interface, the computer system comprising:

a first interface including a first program to access a second computer system via a web interface, the second computer system including an application (abstract; figure 1);

a second interface to send and receive audio signals to and from a telephone and to receive telephone identifying information corresponding to the telephone (abstract; figure 1); and

the state information comprising a plurality of cookies retrieved from other computer systems via the web interface, generated based on at least one telephone session and stored in the computer system (abstract; col. 4, line 65 to col. 5, line 29; col. 9, line 33-col. 10, line 15).

However, Ball does not explicitly teach a control subsystem to control the first interface and the second interface, the control subsystem including a second program for identifying a user profile having a corresponding state information, and at least one policy being stored by the computer system to control access to the plurality of cookies and storing of new cookies.

Kallas teaches a control subsystem to control the first interface and the second interface, the control subsystem including a second program for identifying a user profile having a corresponding state information (figure 3), and a policy for storing cookies managed by a server (col. 4, lines 52-60; figures 4-6; col. 9, lines 25-58). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a policy for storing cookies in order to control access to the cookies, thus providing security in the network system.

(Amended) Regarding claim 15, Ball teaches a computer program executable by a voice

application computer, the computer program for preserving state information for applications

over a telephone interface, the computer program comprising:

a first set of instructions for receiving a telephone identifying information from the

telephone interface (col. 4, lines 4-9);

a second set of instructions for identifying a user profile based on the telephone

identifying information (abstract; col. 1, lines 15-53; figure 1; col. 4, lines 5-9);

a third set of instructions for identifying state information associated with the user profile,

the state information comprising a plurality of cookies retrieved from other computers over a

web interface and resulting from at least one telephone session (abstract; col. 4, line 65 to col. 5,

line 29; col. 9, line 33-col. 10, line 15);

a fifth set of instructions for storing a new cookie based on the policies (col. 9, line 32 to

col. 10, line 15); and

a sixth set of instructions for automatically and selectively providing a subset of the

plurality of cookies to an application based on the policies, the sixth set of instructions

responding to receiving a request over the telephone interface to initiate the application (abstract;

col. 4, line 65 to col. 5, line 29; col. 9, line 33-col. 10, line 15).

However, Ball does not explicitly teach a fourth set of instructions for storing policies for

accessing and storing cookies. Kallas teaches a policy for storing cookies managed by a server

(col. 4, lines 52-60; figures 4-6; col. 9, lines 25-58). At the time the invention was made, one of

ordinary skill in the art would have been motivated to employ a policy for storing cookies in

order to control access to the cookies, thus providing security in the network system.

(Amended) Regarding claim 16, Ball teaches the computer program of claim 15, wherein
the policies are dependent on at least one of needs of the voice application computer, first
decisions made by at least one operator of the voice computer application computer, or second
decisions made by users of the voice application computer (col. 9, line 33-col. 10, line 15).

(Amended) Regarding claim 17, Ball teaches the computer program of claim 16, wherein
each cookie in the plurality of cookies associated with a corresponding domain, wherein the
request include a request host and wherein the subset of the plurality of cookies comprises
cookies with a corresponding domain similar to a domain associated with the request host (col. 9,
line 33-col. 10, line 15).

Regarding claim 18, Ball teaches the computer program of claim 15, wherein the second
set of instruction further comprises a set of instructions for creating a new user profile responsive
to receiving telephone identifying information not associated with an existing user profile (col. 4,
line 65 to col. 5, line 47).

(Amended) Regarding claim 19, Ball teaches the computer program of claim 15, wherein
the second set of instructions further comprises a set of instructions for creating a temporary user
profile responsive to receiving telephone identifying information not associated with an existing
user profile and wherein the computer program further comprises a seventh set of instructions for
deleting the temporary user profile receiving a signal from the telephone interface signaling an
end of a telephone call (col. 9, line 33-col. 10, line 15).

(New)  Regarding claim 21, Kallas teaches the method of claim 1, further comprising:

permitting a user to manage the state information associated with the user (figure 4).


### Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s)

of rejection.


### Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Alina N. Boutah whose telephone number is 571-272-3908.  The

examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on 571-272-3923.  The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system.  Status information for published applications

may be obtained from either Private PAIR or Public PAIR.  Status information for unpublished

applications is available through Private PAIR only.  For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*ANB*

ANB

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